



Agenda Item Number: 2006-6-6H

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: June 13, 2006

Department: Technical Services **Staff Contact:** Tim West, Deputy County Manager for Public Works
Roger Paul, Technical Services Director
David Bishop, Project Engineer

TITLE: Modesto Diversion Drainage Improvements Project

ACTION: Motion to approve Change Order No. 2 to the Agreement between Bernalillo County and CMC Construction, Inc. for the Modesto Diversion Drainage Improvements Project.

SUMMARY:

In October 2004, construction began for Modesto Road NE, which is located in North Albuquerque Acres (NAA), west of Tramway Boulevard, north of Oakland Avenue, east of Lowell Street and south of Elena Drive began. At the time the County had not acquired all of the necessary easements to construct the entire project. CMC Construction (CMC) was able to work on the concrete box culvert (CBC), and 60-inch storm drain pipes immediately downstream of the CBC which constituted about one third of the entire project.

In December 2004, Change Order Number 1 (attached) consisted of two items: one to cover Bernalillo County Fees and a second to add a CMU wall to the contract. It also decreased the initial contract amount by \$5,645.46 (5%), and increased the contract time by 11 calendar days.

On January 16, 2005, the project was suspended because CMC had completed the CBC and downstream storm drain pipes and did not have access to any other areas of the project because the required easements had not been acquired. CMC demobilized its forces and equipment.

On July 29, 2005, the County received Permanent Order of Entry on the downstream portion of the project, but still did not have order of entry on the upstream portion of the project. On November 28, 2005, the County received Permanent Order of Entry on the up stream portion of the Project.

Board approval for a Change Order Number 2 (attached) is requested. The Change Order consists of renegotiated unit prices for 26 of the 35 bid items and 65 calendar days to complete the Project. Since the suspension of the project, the construction industry has experienced a significant increase in the cost of construction materials such as concrete and diesel fuel. Items such as mobilization, reinforced structural concrete and concrete slope paving account for most of the project cost increase. CMC's new contract total will be \$680,122.86. Public Works Division recommends approval of the second Change Order, which exceeds the 10% limit of the original construction contract amount and requires the Board's approval prior to authorizing the requested work. If approved the project's estimated completion date is August 30, 2006.

ATTACHMENTS:

1. Change Order 2
2. Executed Change Order 1
3. Purchasing Bid Summary
4. Location Map

FISCAL IMPACT

NAA/SHS Drainage
Improvement Project

BC21-566464-8610

\$ 117,079.36

STAFF ANALYSIS SUMMARY

COUNTY MANAGER

The Modesto Drainage Diversion Project is much needed to address critical drainage issues in this community. I recommend Board approval. TL 6/8/06

DEPUTY COUNTY MANAGER FOR PUBLIC WORKS

Easement acquisition preliminarily did not identify any issues that would adversely impact the time allotted for the Modesto Drainage Diversion Project when the project was developed, designed and awarded for construction. However, several property issues did arise that required resolution before all easements were acquired and placed the project in suspension during that resolution time period. As the easement issues have been resolved, the proposed change order will enable the construction project to resume to completion. The change order exceeds the permissible 10 percent limit and requires Board approval to become effective. Due to national disasters of the last year, many construction material costs have substantially increased. I recommend the Board approve the change order to enable the construction project to go forward to completion. TW 5/31/06

LEGAL

The proposed complies with AR15-2005. The Change Order is approved as to form.
JSL, Legal 6/5/06

FINANCE

Budget	Funding is available in the Storm Drain/Sewer Bond-BC21. Amy Childers, Financial Services Administrator 5/12/06
Purchasing	Per Administrative Resolution 15-2005, all Construction Projects that exceed \$1,000,000 and have a change order or aggregate of change orders exceeding 10% of the original contract amount shall be approved by the Bernalillo County commission. Lisa Sedillo-White, Purchasing Director 5/29/06
Contracts	A Contract Control Number will be issued to Change Order No. 2 upon execution of all applicable parties. Lisa Sedillo-White, Purchasing Director 5/29/06
Risk Management	No comment required. David Baca, Risk Management 5/11/06